

Resolution calling for a public hearing on a local law to amend Chapter 259 entitled "Streets and Sidewalks" of the Tarrytown Code to amend Article XII and add private roads to the list of properties that must be maintained.

WHEREAS, in the interest of health and safety for all, private property owners currently have the responsibility of maintaining sidewalks and curbs adjoining their premises in safe, and passable condition; and

WHEREAS the Board of Trustees of the Village of Tarrytown hereby finds it useful and appropriate to adopt new provisions to add private roads to the list of properties that must be maintained in the interest of public health and safety;

NOW, THEREFORE, BE IT RESOLVED. that the Board of Trustees of the Village of Tarrytown hereby schedules a public hearing to be held at 7 p.m. on Monday, September 18, 2023, at Tarrytown Village Hall, 1 Depot Plaza, during the Regular Board Meeting, on a local law to to amend Chapter 259 entitled "Streets and Sidewalks" of the Tarrytown Code to amend Article XII and add private roads to the list of properties that must be maintained.

LOCAL LAW __ - 2023

A local law to amend Chapter 259 entitled “Streets and Sidewalks” of the Tarrytown Code to amend Article XII and add private roads to the list of properties that must be maintained.

Section 1. Amending § 259-35 entitled “Maintenance Required”, deleting it in its entirety and replacing it with the following language:

Old language:

It shall be the duty of every property owner or occupant to keep the sidewalk and curb adjoining his premises in safe, passable condition.

New Language:

It shall be the duty of every property owner or occupant to keep the sidewalk and curb adjoining his premises in safe, passable condition.

It shall also be the duty of every property owner or responsible entity to keep the private road under their ownership, authority or control in safe, passable condition.

Section 2. Amending § 259-36 entitled “Failure to make repairs”, deleting it in its entirety and replacing it with the following language:

Old language:

For failure, upon notice by the Superintendent of Public Works or their designee of not less than 24 hours, to make such repairs as are specified as to place and manner, the Board of Trustees may cause the same to be done and may assess the expense thereof upon the adjoining land

New Language:

For failure, upon notice by the Superintendent of Public Works or their designee of not less than 24 hours, to make such repairs as are specified as to place and manner, the Board of Trustees may cause the same to be done and may assess the expense thereof upon the adjoining land, or to the owner or entity responsible for such property.

Section 3: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not

affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 4: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.